

each active ingredient of the tablets; and, Section 502 (f) (2), the labeling of the repackaged *tablets containing a mixture of sulfamerazine, sulfadiazine, and sulfacetamide* and *tablets containing a mixture of sulfadiazine and bicarbonate of soda* failed to bear adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: May 27, 1953. Pleas of nolo contendere having been entered, the court fined the corporation \$500, Defendant Wilder \$50, Defendant Fanning \$100, and Defendant Modlin \$100, plus costs.

4066. Misbranding of dextro-amphetamine sulfate tablets, thyroid tablets, methyltestosterone tablets, capsules containing a mixture of Seconal Sodium and Amytal Sodium, tablets containing a mixture of penicillin G potassium, sulfadiazine, sulfamerazine, and sulfamethazine, and tablets containing a mixture of mannitol hexanitrate and phenobarbital. U. S. v. Wayne A. Hughes (Hughes Drug Store). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 33743. Sample Nos. 31029-L, 31030-L, 34178-L, 34383-L to 34385-L, incl.)

INFORMATION FILED: January 19, 1953, Western District of Missouri, against Wayne A. Hughes, trading as the Hughes Drug Store, Aurora, Mo.

ALLEGED SHIPMENT: On or about March 20 and 21, 1952, while a number of the above-mentioned drugs were being held for sale at the Hughes Drug Store, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), the repackaged *capsules containing a mixture of Seconal Sodium and Amytal Sodium* and the repackaged *tablets containing a mixture of penicillin G potassium, sulfadiazine, sulfamerazine, and sulfamethazine* failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the repackaged *capsules containing a mixture of Seconal Sodium and Amytal Sodium* and the repackaged *tablets containing a mixture of mannitol hexanitrate and phenobarbital* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the labels of such repackaged drugs failed to bear the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the repackaged *capsules containing a mixture of Seconal Sodium and Amytal Sodium*, the repackaged *tablets containing a mixture of penicillin G potassium, sulfadiazine, sulfamerazine, and sulfamethazine*, and the repackaged *tablets containing a mixture of mannitol hexanitrate and phenobarbital* were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of each active ingredient of such drugs; and, Section 502 (f) (2), the repackaged *tablets containing a mixture of penicillin G potassium, sulfadiazine, sulfamerazine,*

and sulfamethazine failed to bear labeling containing adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: April 2, 1953. A plea of nolo contendere having been entered, the court fined the defendant \$300.

4067. Misbranding of diethylstilbestrol tablets, dextro-amphetamine sulfate tablets, and capsules containing a mixture of pentobarbital and carbromal. U. S. v. Thomas Daniels. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 33744. Sample Nos. 31031-L, 31032-L, 31036-L, 31037-L, 32349-L, 34181-L.)

INFORMATION FILED: January 22, 1953, Western District of Missouri, against Thomas Daniels, a clerk employed at the Wooten Drug Co., Aurora, Mo.

ALLEGED VIOLATION: On or about March 20, 25, and 26, 1952, while a number of *diethylstilbestrol tablets, dextro-amphetamine sulfate tablets, and capsules containing a mixture of pentobarbital and carbromal* were being held for sale at the Wooten Drug Co., after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (d), the repackaged capsules contained a mixture of carbromal, a hypnotic substance, and pentobarbital, a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the label of the repackaged capsules failed to bear the name, and quantity or proportion of such substance and derivative and in juxtaposition therewith the statement "Warning—May be habit forming." Further misbranding, Section 502 (e) (2), the label of the repackaged capsules failed to bear the common or usual name of each active ingredient of the capsules.

DISPOSITION: April 2, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$300.

4068. Misbranding of lozenges of Sulfonamets with Topicaline and dextro-amphetamine sulfate tablets. U. S. v. Henley C. Suddreth (Standard Drug Stores No. 2). Plea of nolo contendere. Fine, \$75. (F. D. C. No. 34839. Sample Nos. 3522-L, 3530-L, 3532-L.)

INFORMATION FILED: March 31, 1953, Eastern District of North Carolina, against Henley C. Suddreth, trading as Standard Drug Stores No. 2, Kinston, N. C.

ALLEGED VIOLATION: On or about March 4 and April 23, 1952, while a number of lozenges of *Sulfonamets with Topicaline and dextro-amphetamine sulfate tablets* were being held for sale at Standard Drug Stores No. 2, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.